


FILED

DEC 18 2013

VERDICT FORMCLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY  DEPUTY CLERK

Plaintiff must prove Questions 1, 2, 5, 6, 7, 8 and 9 by a preponderance of the evidence.

Defendants must prove Questions 3 and 4 by a preponderance of the evidence.

Question No. 1

SA-12-CV-1103-XR

Was Plaintiff sexually harassed?

Answer "Yes" or "No." YES

Question No. 2

Was Plaintiff racially harassed?

Answer "Yes" or "No." YES

Question No. 3

Did Defendants exercise reasonable care to prevent and promptly correct any racial and/or sexual harassing behavior? Answer "Yes" or "No." YES

Question No. 4

Did Plaintiff unreasonably fail to take advantage of any preventive or corrective opportunities provided by Defendants, or to avoid harm otherwise? Answer "Yes" or "No."

YES

Question No. 5

Did Defendants retaliate against Plaintiff and reduce Plaintiff's hours because Plaintiff reported that he was sexually and racially harassed?

Answer "Yes" or "No." No

Question No. 6

Was Plaintiff constructively discharged by Defendants because of his complaints to Mr. Richmond?

Answer "Yes" or "No." No

Question No. 7

What sum of money, if paid now in cash, would fairly and reasonably compensate Plaintiff for the damages, if any, you have found Defendants caused Plaintiff?

Answer in dollars and cents for the following items and none other:

Back pay for any wages lost after Plaintiff's complaint to Mr. Richmond:

\$0

Emotional pain and suffering, inconvenience, mental anguish, and loss of enjoyment of life during the period of any alleged sexual or racial harassment:

\$1500

Question No. 8

Based on the evidence presented, do you find that Plaintiff should be awarded punitive damages as a result of the alleged sexual or racial harassment?

Answer "Yes" or "No." No

If you answered "Yes" to Question No. 8, then answer the following Question:

Question No. 9

What sum of money should be assessed against Defendants as punitive damages?

Answer in dollars and cents: \$0

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